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10 **IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

12 U.S. COTTON, LLC

14 Plaintiff

Civil Action No.: 4:21-cv-02141-HSG

15 vs.

17 A TO Z BEAUTY, LLC D/B/A  
CLIGANIC

19 Defendant.

**STIPULATION AND ORDER  
REQUESTING RELIEF FROM CASE  
DEADLINES AND SCHEDULING OF  
CASE MANAGEMENT CONFERENCE**

21 Pursuant to Civil Local Rule 16-2(d) and 7-12, and further to the telephonic conference  
22 with the Court on December 16, 2021 (ECF No. 46), and to the Court's order dated January 4,  
24 2022 (ECF No. 50), Defendant A To Z Beauty, LLC d/b/a Cliganic ("Cliganic") and Plaintiff  
25 U.S. Cotton, LLC ("USC"), hereby stipulate and respectfully request that the Court stay all  
26 deadlines in this matter for approximately 30 days, including continuance of all deadlines  
27

1 currently established by this Court's Amended Scheduling Order (ECF No. 50), to provide the  
 2 parties opportunity to complete the agreed settlement of this matter. A representative of each  
 3 party has signed a short-form settlement agreement that is intended to resolve this case. The  
 4 parties and counsel expect to reach a final agreement, and expect all conditions to be completed  
 5 – including dismissal of this action – no later than February 4, 2022.

7 There have been two prior stipulations and resulting orders (ECF No. 40, 50) affecting  
 8 the court's scheduling orders.  
 9

10 The parties and their counsel maintain there is good cause for this extension as the party  
 11 representatives have reached a written settlement in principle, and they intend to promptly and  
 12 completely resolve this matter without further undue litigation cost or burden to the Court.  
 13

14 In the event the matter is not dismissed by February 4, 2022, the parties propose the  
 15 following, amended schedule at this time:

EVENT	PROPOSED SCHEDULE
Rule 26(a)(1) Initial Disclosures	Complete
Disclosure of Asserted Claims and Infringement Contentions by Plaintiff (Patent L.R. 3-1 & 3-2)	Complete
Invalidity Contentions by Defendant (Patent L.R. 3-3 and 3-4)	Complete
Exchange of Proposed Terms for Claim Construction (Patent L.R. 4-1)	Complete
Exchange of Preliminary Constructions and Extrinsic Evidence (Patent L.R. 4-2)	February 11, 2022
Damages Contentions by Plaintiff (Patent L.R. 3-8)	February 18, 2022

Joint Claim Construction and Prehearing Statement and Expert Reports for Claim Construction (Patent L.R. 4-3)	February 25, 2022
Responsive Damages Contentions by Defendant (Patent L.R. 3-9)	March 11, 2022
Last Day to Amend Pleadings	March 25, 2022
Completion of Claim Construction Discovery (Patent L.R. 4-4)	March 25, 2022
Opening Claim Construction Brief by Plaintiff (Patent L.R. 4-5(a))	April 8, 2022
Responsive Claim Construction Brief by Defendant (Patent L.R. 4-5(b))	April 22, 2022
Reply Claim Construction Brief by Plaintiff (Patent L.R. 4-5(c))	April 29, 2022
Claim Construction Hearing	May 13, 2022 at 2p.m. or at the Court's convenience
Issuance of Claim Construction/Pretrial Order ["PO"]	At the convenience of the Court

Respectfully submitted,

## **RODENBAUGH LAW**

Dated: January 6, 2022

By: Mike Rabenbach

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5 *Attorneys for Plaintiff*  
6 *U.S. Cotton, LLC*

7  
8 Dated: January 6, 2022

9 Respectfully submitted,

10 By: /s/ Erik R. Fuehrer  
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27 Attorneys for Defendant  
28 A TO Z BEAUTY, LLC D/B/A CLIGANIC

29 **PURSUANT TO STIPULATION, IT IS SO ORDERED,**

30   
31 District Judge Haywood S. Gilliam Jr.

32 1/7/2022

33 Date